

REMARKS

I. Introduction

Claims 13 to 24, 26 and 27 are pending in the present application. In view of the following remarks, it is respectfully submitted that the present application is in condition for immediate allowance, and reconsideration is respectfully requested.

II. Information Disclosure Statement

As an initial matter, it is noted that attached to the Final Office Action is a copy of the PTO-1449 paper that was submitted with the Supplemental Information Disclosure Statement filed on October 26, 2007 and that a line is drawn through each of the two documents listed in the PTO-1449 paper, suggesting that these documents might not have been considered. The Final Office Action does not include any comments on the Supplemental Information Disclosure Statement or the documents listed in the PTO-1449 paper attached thereto. The Supplemental Information Disclosure Statement fully complied with all of the requirements of 37 C.F.R. §§ 1.97 and 1.98. As such, there is no apparent reason why the documents cited in the Supplemental Information Disclosure Statement and listed in the PTO-1449 paper should not have been fully considered and indicated as having been fully considered. Thus, an initialed copy of the PTO-1449 paper is respectfully requested with the next Office communication.

III. Rejection of Claims 13, 15 to 22, 26 and 27 Under 35 U.S.C. § 103(a)

Claims 13, 15 to 22, 26 and 27 were rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of U.S. Patent Application Publication No. 2002/0183929 ("Tsuji et al.") and U.S. Patent No. 6,737,964 ("Samman et al."). It is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claims 13, 15 to 22, 26 and 27 for at least the following reasons.

Claim 13 relates to a method for monitoring a blind spot located at a side of a motor vehicle to warn a driver of the motor vehicle that an object is located in a predetermined warning region with respect to the motor vehicle corresponding to the blind spot, including: determining a relative speed between the object and the motor vehicle; determining a travel direction of the object relative to the motor

vehicle; determining a position of the object relative to the motor vehicle; and warning the driver if: (a) the travel direction of the object corresponds to a travel direction of the motor vehicle; (b) the relative speed between the object and the motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value; and (c) the position of the object is within the predetermined warning region.

Tsuji et al. do not disclose, or even suggest, warning a driver if, inter alia, a relative speed between an object and a motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value. Tsuji et al. do describe a vehicle environment monitoring system, which warns a driver of a vehicle when there is a significant probability of the vehicle colliding with an object existing in an external environment of the vehicle. Whether or not there is a significant probability of the vehicle colliding with the object is determined, based on a running speed of the vehicle, the distance between the vehicle and the object and the relative speed of the vehicle and the object. As indicated in paragraph [0090] of Tsuji et al., a number of conditions must be satisfied before a warning is issued to the driver, including:

$$VCAR/2 \leq V_s \leq VCAR \times 3/2; \text{ and} \\ |VCAR - V_s| \leq VCAR/2,$$

where VCAR is the speed of the vehicle and V_s is the relative speed of the vehicle and the object in a Z-direction, i.e., direction of travel, of the vehicle (see Fig. 13A). The above conditions of Tsuji et al. define a range, within which relative speed V_s must fall to enable issuance of a warning to the driver, and which varies as a function of vehicle speed VCAR. However, if relative speed V_s is assigned a value of zero, neither of these conditions can ever be satisfied, and thus a warning can never be issued, if vehicle speed VCAR is greater than zero. For example, regarding the first condition listed above, VCAR/2 can never be less than or equal to zero when the vehicle is moving forwards; regarding the second condition listed above, the absolute value of VCAR can never be less than or equal to VCAR/2 when the vehicle is moving forwards. **Therefore, Tsuji et al. do not disclose or suggest any range, within which relative speed V_s must fall for issuance of a warning, and which includes a value of zero.**

Samman et al. describe a blind spot monitoring system that provides a visual image of a vehicle's blind spot when an object deemed to be a hazard enters the blind spot. However, Samman et al. do not cure the deficiencies of Tsuji et al. with respect to the feature of warning a driver if, inter alia, a relative speed between an object and a motor vehicle is within a predetermined range bounded by a lower range boundary and an upper range boundary, the predetermined range including a zero value. Samman et al. merely provide an image or a highlighted image of the object when the object is discovered to be in the blind spot.

Moreover, Tsuji et al. teach away from the proposed combination with Samman et al. In this regard, Tsuji et al. state that the determination is carried out on condition that the relative speed is in the vicinity of the vehicle speed, thereby making it possible to prevent unnecessary warnings when the vehicle is approaching **another vehicle that is running in the opposite lane**, or running ahead in the same lane. Thus, according to Tsuji et al., a warning is considered an **unnecessary warning** if the other vehicle is in the blind spot of the vehicle. Accordingly, it is **improper** to make the proposed combination in an effort to establish obviousness of the present claims. In re Grasselli, 713 F.2d 731, 743, 218 U.S.P.Q. 769, 779 (Fed. Cir. 1983).

Accordingly, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claim 13 for at least the above reasons.

Claims 22 and 27 include features analogous to features included in claim 13. Accordingly, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable claims 22 and 27 for at least the reasons set forth above.

As for dependent claims 15 to 21 and 26, it is respectfully submitted that the combination of Tsuji et al. and Samman et al. does not render unpatentable these dependent claims for at least the reasons set forth above.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

IV. Rejection of Claim 14 Under 35 U.S.C. § 103(a)

Claim 14 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent No. 3,891,966

(“Sztankay”). It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Sztankay does not render unpatentable the present claim for at least the following reasons.

Claim 14 depends from claim 13 and therefore includes all of the features of claim 13. As set forth above, the combination of Tsuji et al. and Samman et al. does not render unpatentable claim 13, from which claim 14 depends. Sztankay does not cure the deficiencies of Tsuji et al. and Samman et al. Accordingly, it is respectfully submitted that the combination of Tsuji et al., Samman et al. and Sztankay does not render unpatentable claim 14, which depends from claim 13.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

V. Rejection of Claim 23 Under 35 U.S.C. § 103(a)

Claim 23 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent Application Publication No. 2001/0013835 (“Hsu et al.”). It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Hsu et al. does not render unpatentable the present claim for at least the following reasons.

Claim 23 depends from claim 22 and therefore includes all of the features of claim 22. As set forth above, the combination of Tsuji et al. and Samman et al. does not render unpatentable claim 22, from which claim 23 depends. Hsu et al. do not cure the deficiencies of Tsuji et al. and Samman et al. Accordingly, it is respectfully submitted that the combination of Tsuji et al., Samman et al. and Hsu et al. does not render unpatentable claim 23, which depends from claim 22.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VI. Rejection of Claim 24 Under 35 U.S.C. § 103(a)

Claim 24 was rejected under 35 U.S.C. § 103(a) as unpatentable over the combination of Tsuji et al., Samman et al. and U.S. Patent Application Publication No. 2002/0082777 (“Halsted et al.”). It is respectfully submitted that the combination of Tsuji et al., Samman et al. and Halsted et al. does not render unpatentable the present claim for at least the following reasons.

Claim 24 depends from claim 22 and therefore includes all of the features of claim 22. As set forth above, the combination of Tsuji et al. and Samman et al. does not render unpatentable claim 22, from which claim 24 depends. Halsted et al. do not cure the deficiencies of Tsuji et al. and Samman et al. Accordingly, it is respectfully submitted that the combination of Tsuji et al., Samman et al. and Halsted et al. does not render unpatentable claim 24, which depends from claim 22.

In view of all of the foregoing, withdrawal of this rejection is respectfully requested.

VII. Conclusion

It is therefore respectfully submitted that all of the presently pending claims are allowable. All issues raised by the Examiner having been addressed, an early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

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